

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

**ROY HOLMES, TINA ALEXANDER,
and PATRICK NORRIS, and MELISSA GARNER,
Each individually and on Behalf of All
Others Similarly Situated**

PLAINTIFFS

vs.

Case No. 4:20-cv-191-DPM

**STETSON COURIER, INC.
and JOHN STETSON**

DEFENDANTS

RESPONSE IN OPPOSITION TO MOTION REOPEN DISCOVERY

Defendants Stetson Courier, Inc. and John Stetson, (collectively, Defendants), by and through their attorneys, ROSE LAW FIRM, P.A., and for their Response in Opposition to Plaintiffs' Motion to Reopen Discovery, state:

1. Rule 69(a)(2) of the Federal Rules of Civil Procedure provides: "In the aid of the judgment or execution, the judgment creditor or a successor in interest whose interest appears of record may obtain discovery from any person—including the judgment debtor—as provided in these rules or by the procedure of state where the court is located."

2. After Plaintiffs filed their Motion to Reopen Discovery, Defendants proposed a plan by which to satisfy the judgment in installment payments.

3. Pursuant to the Court's Judgment issued September 29, 2023, the Judgment continues to bear interest at a rate of 5.46% until paid. Therefore, the time value of the Judgment will be taken into account while installment payments are being made.

4. Defendants intend to begin making installment payments on the date of the filing of this Response.

5. If discovery is reopened, Defendants will incur costs in responding to discovery that are unnecessary in light of their commencement of payments toward the judgment.

WHEREFORE, Defendants respectfully request that the Court deny Plaintiffs' Motion to Reopen Discovery.

Respectfully submitted,

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